



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

JAN 09 2004

TECH CENTER 1600/2900

Applicant(s):	Friddle <i>et al.</i>	Group Art Unit:	1647
Application No.:	09/940,919	Examiner:	S. Wegert
Filed:	08/28/2001	Atty. Docket No.:	LEX-0228-USA
Title: Novel Human GABA Transporter Protein and Polynucleotides Encoding the Same			

AMENDMENT; AND RESPONSE TO RESTRICTION REQUIREMENT
DATED NOVEMBER 20, 2003

Commissioner for Patents
Alexandria, VA 22313

Sir:

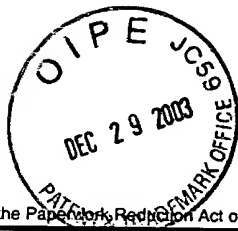
The Examiner is respectfully requested to enter the following amendments. A response to the Restriction Requirement dated November 20, 2003 (hereafter "the Requirement") is also included herewith, and the Examiner is respectfully requested to consider the remarks therein.

The response is due on December 20, 2003, which falls on a Saturday and is therefore extended until Monday, December 22, 2003 under 37 C.F.R. § 1.7. The response is thus timely filed, and Applicants believe no fees are due in connection with this response. However, the Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 50-0892.

01/06/2004 SSESHE1 00000010 500892 09940919

01 FC:2201 43.00 DA

41



1647 \$

PTO/SB/21 (01-03)

Approval for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	09/940,919	
	Filing Date	Aug 28, 2001	
	First Named Inventor	Friddle, Carl Johan	
	Art Unit	1647	
	Examiner Name	S. Wegert	
Total Number of Pages in This Submission	7	Attorney Docket Number	LEX-0228-USA

RECEIVED
 JAN 09 2004
 TECH CENTER 1600/2900

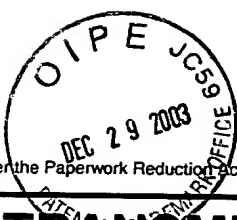
ENCLOSURES <small>(check all that apply)</small>		
<input checked="" type="checkbox"/> Fee Transmittal Form (Original & Copy) <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Return Postcard - Return to Restriction Requirement
Remarks: Customer # 24231		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	Lexicon Genetics Incorporated
	Lance K. Ishimoto Reg. No. 41,866
Signature	<i>Lance K. Ishimoto by David W. Hieber</i> DAVID W. HIEBER REG. NO. 41,071
Date	December 19, 2003

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: USPTO, PO Box 1450, Alexandria, VA 22313-1450 on this date: December 19, 2003			
Typed or printed	Michelle Klein		
Signature	<i>Michelle Klein</i>	Date	December 19, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



Approved for use through 04/30/2003. PTO/SB/17 (01-03)
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. OMB 0651-0032

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 43.00)

Complete if Known

Application Number 09/940,919

Filing Date 8/28/2001

First Named Inventor Friddle et al.

Examiner Name S. Wegert

Art Unit 1647

Attorney Docket No. LEX-0228-USA

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number 50-0892

Deposit Account Name Lexicon Genetics Incorporated

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below	Fee Paid
Independent	-20**=	1	X	43.00	43.00
Multiple Dependent	-3**=		X		

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim, if not paid	
1204	84	2204	42	**Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$ 43.00)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840**	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

(3) Reduced by Basic Filing Fee Paid

SUBTOTAL

(S)

SUBMITTED BY

Name (Print/Type)	Lance K. Ishimoto	Registration No. (Attorney/Agent)	41,866	Telephone	281-863-3333
Signature	<i>Lance K. Ishimoto</i> DAVID W. HUBLEX REG. NO. 41,071			Date	Dec 19, 2003